

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

WEST AMERICAN INSURANCE COMPANY,

Plaintiff,

vs.

**MICK KEANE'S EXPRESS DELIVERY
SERVICE, INC., a corporation,
and FREDDIE WASHINGTON,**

Defendants.

No. 05-CV-465-DRH

MEMORANDUM AND ORDER

HERNDON, District Judge:

Before the Court is Plaintiff West American Insurance Company's Motion to consolidate this action with *Ohio Casualty Insurance Company v. Mick Keane's Express Delivery Service, Inc.*, No. 03-CV-818-WDS. (Doc. 2). Plaintiff seeks to consolidate *West American Insurance Company* and *Ohio Casualty Insurance Company* because both cases involve "the same parties, the same accident and similar issues." (*Id.*) Plaintiff's consolidation motion was filed on July 7, 2005, and responses were due by July 25, 2005. **FED. R. CIV. P. 6; LOCAL RULE 7.1.** As of yet, no party has responded in opposition.

FEDERAL RULE OF CIVIL PROCEDURE 42(a) allows a court to consolidate actions that "involv[e] a common question of law or fact." Satisfied that **RULE 42(a)**'s requirements are met here, the Court **GRANTS** Plaintiff's motion to consolidate (Doc.

2) and **CONSOLIDATES** the above-captioned case with *Ohio Casualty Insurance Company v. Mick Keane's Express Delivery Service, Inc.*, No. 03-CV-818-WDS.

Pursuant to the policy of this District Court, the newer case (05-CV-465-DRH) will be consolidated *into* the older case (03-CV-818-WDS). All further pleadings shall be filed in Case No. 03-CV-818-WDS.

IT IS SO ORDERED.

Signed this 26th day of July, 2005.

/s/ David RHerndon
United States District Judge